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10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 vs.
15 JOSEPH COPPOLA,
16 Defendants.

CASE NO: 2:99-cr-00217

**ORDER TO CONTINUE PRELIMINARY
HEARING**

(Fourth Request)

17 **FINDINGS OF FACT**

18 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
19 Court finds that:

- 20 1. The parties require additional time to prepare for the preliminary hearing in this
21 case. The Defense needs additional time to look into an issue that may impact the
22 preliminary hearing.
 - 23 2. Defense Counsel has spoken with Assistant United States Attorney Melanee
24 Smith, and the Government agrees to the continuance.
 - 25 3. Defendant Joseph Coppola is in custody, and he does not oppose the continuance.
 - 26 4. The additional time requested herein is not sought for purposes of delay.
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1 5. Denial of this request for a continuance would deny the parties sufficient time to
2 prepare for the preliminary hearing, taking into account the exercise of due
3 diligence.

4 6. Additionally, denial of this request for continuance could result in a miscarriage
5 of justice.

6 **CONCLUSION OF LAW**

7 The ends of justice served by granting said continuance outweigh the best interests of the
8 public and the defense, since the failure to grant said continuance would be likely to result in a
9 miscarriage of justice, would deny the defendant sufficient time and the opportunity within which
10 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account
11 the exercise of due diligence.

12 **ORDER**

13 IT IS THEREFORE ORDERED that the Preliminary Hearing scheduled for November
14 14, 2022, at the hour of 10:00 a.m., be vacated and continued to the 5th day of December, 2022,
15 at the hour of 10:00 a.m. in a courtroom to be determined.

16 DATED AND DONE this 10th day of November, 2022.

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20 UNITED STATES MAGISTRATE JUDGE
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